

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:24-cv-07390 DMG (ADS) Date: December 6, 2024

Title: Eric Ernesto Aparicio v. Martin O'Malley

Present: The Honorable Autumn D. Spaeth, United States Magistrate Judge

Kristee Hopkins

Deputy Clerk

None Reported

Court Reporter / Recorder

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR FAILURE TO
PROSECUTE**

On August 29, 2024, Plaintiff Eric Ernesto Aparicio filed a social security complaint pursuant to 42 U.S.C. § 405(g). (Dkt. No. 1.) On September 5, 2024, the Court issued the Standing Order for this case. (Dkt. No. 7.) The Standing Order states that “[t]he Supplemental Rules for Social Security Actions Under 42 U.S.C. § 405(g) shall govern this action.” (*Id.* at 1.) Rule 6 of the Supplemental Rules states that “[t]he plaintiff must file and serve on the Commissioner a brief for the requested relief within 30 days after the answer is filed or 30 days after entry of an order disposing of the last remaining motion filed under Rule 4(c), whichever is later.” On November 4, 2024, Defendant Martin O’Malley filed the Answer, which made Plaintiff’s brief due December 4, 2024. (Dkt. No. 9.) As of the date of this Order, Plaintiff has not filed a brief for the requested relief.

If Plaintiff wishes to proceed with this lawsuit, he must either: (1) file and serve a brief as required by Rule 6; or (2) show cause why he is unable to do so by no later than **December 13, 2024**.

Plaintiff is expressly warned that his failure to timely respond to this Order as directed above will result in a recommendation to the District Judge that this action be dismissed for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.